

SECOND AMENDMENT TO TRIBAL/STATE COMPACT  
FOR CLASS III GAMING BETWEEN  
THE TULALIP TRIBES OF WASHINGTON  
AND THE STATE OF WASHINGTON

WHEREAS, on August 2, 1991 the Governor of the State of Washington and the Chairman of the Tulalip Tribes of Washington executed a Compact pursuant to the Indian Gaming Regulatory Act of 1988, P.L. 100-497, codified at 25 USC Section 2701-2721 and 18 USC Section 1166-1168, and

WHEREAS, pursuant to the Indian Gaming Regulatory Act of 1988 and by action of the Department of the Interior, Bureau of Indian Affairs on September 25, 1991, said Compact became effective October 3, 1991, and

WHEREAS, said Compact by First Amendment of May, 1992 has been amended as to Section 9(c), and

WHEREAS, the parties wish to amend Section 3 of said Compact to accelerate the authorization for use on the gaming floor within the facility of 32 stations, provide for certain gaming revenues to support non-profit and charitable organizations and their activities within the State of Washington, and memorialize and clarify the agreement existing between the parties regarding the operating hours for the gaming operation,

NOW, THEREFORE, and pursuant to Section 15(d)(i) of said Compact, Section 3(f), (g) and (h) of said Compact shall be and hereby are amended to read and state as follows:

(f) Size of Class III Gaming Operation. The number of gaming stations authorized for use on the gaming floor within the facility shall not exceed twenty-three (23) stations. The maximum number of Blackjack stations shall be nineteen (19). After ~~eighteen (18)~~ twelve (12) months of continual operation of the Class III gaming facility, the number of gaming stations may be increased to ~~thirty-one (31)~~ thirty-two (32) with up to a maximum of ~~twenty-six (26)~~ twenty seven (27) blackjack tables provided none of the following have occurred: violations of the provisions of the Compact which have resulted in sanctions imposed by the Federal District Court; substantial and repeated violations of Sections 3 and 4 of this Compact against the gaming facility; or material adverse impacts on the public safety or welfare of the surrounding communities in the nature of criminal activities directly related to the operation of the Class III gaming facility-; provided the proceeds from one (1) of the gaming stations shall be dedicated to support non-profit and charitable organizations and their activities within the State of Washington. For the purpose of the determination of "proceeds" from the non-profit station, only, proceeds shall mean the pro rata net profit of one

(1) station. Such proceeds from the non-profit station are not subject to the calculation for the community contribution under Section 14(c) of this Compact. Provided further, such expansion shall not occur while a state initiated action in Federal District Court or a dispute under Section 12(c) is pending on this issue.

(g) Wagering Limitations. The maximum wager authorized for any thirteen (13) of the gaming stations shall not exceed ten (10) dollars per wager. The remaining ten stations shall not exceed a maximum wager of twenty-five (25) dollars. The Tribe may offer sports pools, on regularly scheduled athletic contests, of one hundred (100) squares wherein each square is sold for not more than ten (10) dollars and all proceeds are awarded to winners as prizes. Provided, should the State Gaming Agency increase the wagering limits currently in play for licensed fund raising events and card games, upon thirty days written notice to the State Gaming Agency from the Tribe, the Tribe may authorize the same wagering limits. At the end of ~~eighteen (18)~~ twelve (12) months continual operation, if the size of the gaming operation is increased in accordance with Section 3(f), up to ~~thirteen (13)~~ fourteen (14) of the ~~thirty-one (31)~~ thirty-two (32) stations may utilize a maximum of twenty-five (25) dollars per wager and one (1) station may utilize a maximum of one hundred (100) dollars per wager. If a dispute arises, it shall be resolved pursuant to Section 12(c) of this Compact.

(h) Hours of Operation. The maximum number of operating hours for the gaming operation shall not exceed an average of eighty (80) hours per week, on an annualized basis. The Tribe shall schedule the hours to best comply with market conditions and may operate any day of the week. The gaming operation and gaming facility shall be closed to the public from 2:00 a.m. until 6:00 a.m. each day of operation. The Tribal Gaming Agency will provide to the State Gaming Agency, on a quarterly basis, a schedule indicating the hours of operation of the Class III facility.

TULALIP TRIBES OF WASHINGTON

By Stanley G. Jones Sr.  
Stanley G. Jones, Sr.  
Chairman

Dated: 11<sup>th</sup> day of Sept., 1993.

STATE OF WASHINGTON

By Mike Lowry  
Mike Lowry  
Governor

Dated: 21st day of Sept., 1993.

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